



Docket No. 2710-4011US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael B. CHANCELLOR et al.

Serial No.: 10/081,835

Group Art Unit: 1722

Filed: February 22, 2002

Examiner: To Be Assigned

For: **RAPID PREPARATION OF STEM CELL MATRICES FOR USE IN TISSUE
AND ORGAN TREATMENT AND REPAIR**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, DC 20231

Sir:

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JUN 03 2002
TC 1700

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.


1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed _____.
4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or

- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
- ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
- ☐ 37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee.
- ☐ Charge the fee to Deposit Account No. 13-4500, Order No. _____. A
DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
- b. ☐ 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).

- c. ☐ The fees due under 37 C.F.R. §§1.17(h) and 1.17(p) are paid as set forth in paragraph 11 below.
9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ This document is accompanied by ☐ a Search Report ☐ Communication which was cited in a corresponding ☐ PCT or ☐ Foreign counterpart application
11. ☐ A check in the amount of \$_____ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- ☐ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2710-4011US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: May 29, 2002

By: 
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EXPRESS MAIL CERTIFICATE

Express Mail Label No.: **EV 094 907 295 US**

Date of Deposit: **May 29, 2002**

I hereby certify that the following attached paper(s) and/or fee

1. Information Disclosure Statement (IDS) (3 pages);
2. PTO-1449 Form listing 20 references (1 page);
3. Copies of 20 references listed on Form PTO-1449;
4. Return Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, DC 20231

Jafet N. Cotto

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

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PATENT & TRADEMARK OFFICE

FORM PTO-1449

INFORMATION DISCLOSURE CITATION

Attorney Docket:
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Page 1 of 1

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U.S. PATENT DOCUMENTS

Examiner Initial		Patent Number	Issue Date	Name	Class	Sub-Class	Filing Date
	1	5,443,950	8/22/1995	Naughton et al.	435	1	
	2	5,510,254	4/23/1996	Naughton et al.	435	240.243	
	3	5,541,107	7/30/1996	Naughton et al.	435	240.243	
	4	5,733,337	3/31/1998	Carr, Jr. et al.	623	11	
	5	5,785,964	7/28/1998	Naughton et al.	424	93.21	
	6	5,842,477	12/1/1998	Naughton et al.	128	898	
	7	5,858,721	1/12/1999	Naughton et al.	435	69.1	
	8	5,902,741	5/11/1999	Purchio et al.	435	240.23	
	9	5,962,325	10/5/1999	Naughton et al.	435	395	
	10	6,121,042	9/19/2000	Peterson et al.	435	284.1	

FOREIGN PATENT DOCUMENTS

Examiner Initial		Patent Number	Publication Date	Country	Class	Sub-Class	Translation
							<input type="checkbox"/> Yes <input type="checkbox"/> No
							<input type="checkbox"/> Yes <input type="checkbox"/> No

OTHER DOCUMENTS (Including Author, Title, Date, etc.)

	11	Hansbrough et al., 1992, "Evaluation of a biodegradable matrix containing cultured human fibroblasts as a dermal replacement beneath meshed skin grafts on athymic mice", Surgery, 111:438-446.
	12	Berthod et al., 1993, "Collagen synthesis by fibroblasts cultured within a collagen sponge", Biomaterials, Vol. 14, (10):749-754.
	13	Berthod et al., 1997, "In vitro reconstructed skin models for wound coverage in deep burns", British Journal of Dermatology, 136:809-816.
	14	Langer et al., 1993, "Tissue Engineering", Science, 260:920-926.
	15	Auger et al., 1998, "Tissue-engineered human skin substitutes developed from collagen-populated hydrated gels: clinical and fundamental applications", Med.Biol. Eng. Comput., 36:801-812.
	16	Minuth et al., 1998, "Tissue engineering: generation of differentiated artificial tissues for biomedical applications", Cell Tissue Res, 291:1-11.
	17	Germain et al., 2000, "Tissue engineering of the vascular system: from capillaries to larger blood vessels", Med. Biol. Eng. Comput., 38:232-240.
	18	Abraham et al., 2000, "Evaluation of the porcine intestinal collagen layer as a biomaterial", Journal of Biomedical Materials Research, 51(3):442-452.
	19	Naughton et al., 1999, "Human-Based Tissue Engineered Implants For Plastic And Reconstructive Surgery", Clinics in Plastic Surgery, 26 (4):579-586.
	20	S.T. Boyce, 1996, "Cultured Skin Substitutes: A Review", Tissue Engineering, 2 (4):255-266.

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609.

Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to Applicant.